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ZONG, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PAYMENTONE CORPORATION, a  
Delaware corporation,

Plaintiff,

v.

ZONG, INC., a Delaware corporation,

Defendant.

Case No. 3:11-cv-02186-CRB

**JOINT STATUS UPDATE REGARDING  
CONSENT TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE**

1 In accordance with the provisions of Title 28, U.S.C. Section 636(c), and pursuant to this  
 2 Court's Order at the Initial Case Management Conference held on October 7, 2011, *see* Dkt. No.  
 3 33, Plaintiff PaymentOne Corporation and Defendant Zong, Inc. have met and conferred  
 4 regarding the reassignment of this matter to an agreed-upon United States Magistrate Judge. The  
 5 parties agree to consent to proceed before a United States Magistrate Judge that is mutually  
 6 agreeable to both parties to conduct any and all further proceedings in the case, including trial,  
 7 and order the entry of a final judgment. However, at this time the parties are unable to reach  
 8 agreement on the particular Magistrate Judge to conduct all further proceedings. Therefore, the  
 9 parties request additional time to continue meet and confer efforts and will further update the  
 10 Court by October 21, 2011 regarding the status of the consent to proceed before a United States  
 11 Magistrate Judge.

12 The parties also wish to inform the Court that because the Joint Case Management  
 13 Statement has not been entered, no scheduling order has been entered for this case.

14  
 15 Dated: October 14, 2011

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

18 By /s/ Dion M. Bregman

Dion M. Bregman  
 Attorneys for Plaintiff  
 PAYMENTONE CORPORATION

21 Dated: October 14, 2011

FENWICK & WEST LLP

22 By /s/ Darren Donnelly

Darren Donnelly  
 Attorneys for Defendant  
 ZONG, INC.

**FILER'S ATTESTATION**

I, Dion M. Bregman, am the ECF user whose identification and password are being used to file this Joint Status Update Regarding Consent to Proceed Before A United States Magistrate Judge. In compliance with General Order 45.X.B, I hereby attest that Darren Donnelly concurs in this filing.

Dated: October 14, 2011

By /s/ Dion M. Bregman

Dion M. Bregman

Attorneys for Plaintiff

PAYMENTONE CORPORATION